

**BEFORE THE MISSOURI
STATE REAL ESTATE APPRAISERS COMMISSION**

**MISSOURI REAL ESTATE APPRAISERS
COMMISSION,**

Petitioner,

v.

JEFFREY S. KING,

Respondent.

No. 12-1340 RA PV

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND DISCIPLINARY ORDER**

At its scheduled meeting on June 17, 2015, and pursuant to notice described in the Findings of Fact, the Missouri State Real Estate Appraisers Commission (MREAC) took up the probation violation complaint alleging that Jeffrey S. King (Respondent or King) has failed to comply with the terms of his probation.

The MREAC appeared at the hearing through Assistant Attorney General Craig Jacobs. Pursuant to notice, Respondent appeared at the hearing in person but was not represented by legal counsel. Division of Professional Registration Legal Counsel Thomas Mark Townsend served as the MREAC's legal advisor at the hearing, during deliberations, and in the preparation of this order.

Findings of Fact and Conclusions of Law

1. The MREAC was established pursuant to § 339.507, RSMo,¹ for the purpose of executing and enforcing the provisions of §§ 339.500 through 339.549, RSMo, the Missouri Certified Licensed Real Estate Appraisers Act.

2. Respondent is a natural person and is certified by the MREAC as a state-certified residential real estate appraiser, license number RA002245.

¹ All statutory references are to Missouri Revised Statutes 2000, as amended, unless otherwise indicated.

3. On or about April 19, 2013, the Administrative Hearing Commission ("AHC") issued a Consent Order adopting and incorporating the stipulated findings of fact and conclusions of law set forth in the Joint Motion for Consent Order, Joint Stipulation of Facts and Conclusions of Law, Waiver of Hearings Before the Administrative Hearing Commission and the Missouri Real Estate Appraisers Commission, and Disciplinary Order ("Disciplinary Order").

4. Respondent's residential real estate appraiser certification was originally disciplined on or about April 19, 2013, at which time Respondent's certification was placed on a two (2) year period of probation. Respondent's probationary period ran from April 19, 2013 through April 18, 2015.

5. On April 17, 2015, a Probation Violation Complaint was filed with the MREAC alleging violations by Respondent of the April 18, 2013 Disciplinary Order.

6. The April 18, 2013 Disciplinary Order states on page 9, paragraphs 2.A and 2.B of Part II, as terms and conditions that Respondent shall:

A. "... submit written reports to the MREAC by no later than November 1 and May 1, during each year of the disciplinary period stating truthfully whether there has been compliance with all terms and conditions of this Joint Stipulation. The first written report shall be submitted on or before November 1, 2013. The final written report shall be submitted to the MREAC 90 days prior to the end of the disciplinary period. Each written report shall be submitted no earlier than 30 days prior to the respective due date. King is responsible for assuring that the reports are submitted to and received by the MREAC."

B. "During the disciplinary period, King shall maintain a log of all appraisal assignments as required by 20 CSR 2245-2.050. A true and correct copy of the log shall be submitted to the MREAC by no later than November 1 and May 1 during each year of the disciplinary period. The first log shall be submitted on or before November 1, [2013]. The last log shall be submitted to the MREAC 90 days prior to the end of the disciplinary period. Each log submitted shall be current to at least 30 days prior to the respective due date. King is responsible for assuring that the logs are submitted to and received by the MREAC. Upon MREAC request, King shall submit copies of his work samples for MREAC review."

7. Respondent submitted written reports and appraisal logs late or not at all in violation of paragraphs 2.A and 2.B of Part II of the April 18, 2013 Disciplinary Order, as follows:

- a. The written report due on November 1, 2013 was not submitted until February 19, 2014;
- b. The appraisal log due on November 1, 2013 was not received until December 12, 2013;
- c. The written report due on May 1, 2014 was not submitted until May 14, 2014;
- d. The appraisal log due on May 1, 2014 was not submitted until May 13, 2014;
- e. On or about May 15, 2014, the MREAC requested that Respondent submit work samples from the most recently received appraisal log, but, such were not provided by Respondent until on or about February 20, 2015;
- f. The written report due on November 1, 2014 was not submitted until March 10, 2015; and
- g. The written appraisal log due on November 1, 2014 was not submitted until March 10, 2015.

8. Upon receiving Respondent's last appraisal log on January 27, 2015, the MREAC requested by letter and e-mail dated February 23, 2015, that Respondent submit appraisal reports and all supporting data (work files) to the MREAC for review for the following properties: 505 NE 270th Street, Plattsburg, Missouri, and 107 S. 8th Street, Tarkio, Missouri.

9. On or about February 23, 2015, Respondent acknowledged by email the receipt of the MREAC's request for the appraisal reports and work files.

10. Respondent failed to timely submit the requested appraisal reports and work files to the MREAC. Respondent acknowledged that he was late in submitting his appraisal logs, claiming he did not fully understand the requirements placed upon him by the April 18, 2013 Disciplinary Order. Respondent asserted at hearing that he did not think he should be punished further for his tardiness.

11. Respondent's failure to timely submit the appraisal reports and work files as requested by the MREAC on or about February 23, 2015, violated paragraphs 2.A and 2.B of Part II of the April 18, 2013 Disciplinary Order.

Conclusions of Law

12. The MREAC has jurisdiction in this proceeding, pursuant to the April 18, 2013 Disciplinary Order, paragraphs 3, 4 (first of two), and 5 (second of two) on pages 12-13 and § 324.042, RSMo, to determine whether Respondent has violated the terms and conditions of the April 18, 2013 Disciplinary Order regarding Respondent's residential real estate appraiser license, license number RA002245.

13. The April 18, 2013 Disciplinary Order, paragraphs 3, 4 (first of two), and 5 (second of two) on pages 12-13 states:

3. Upon the expiration of the disciplinary period, the certificate of King shall be fully restored if all requirements of law have been satisfied; provided, however, that in the event the MREAC determines that King has violated any term or condition of this Joint Stipulation, the MREAC may, in its discretion, vacate and set aside the discipline imposed herein and impose such further discipline as it shall deem appropriate.

4. No additional discipline shall be imposed by the MREAC pursuant to the preceding paragraph of this Joint Stipulation without notice and opportunity for hearing before the MREAC as a contested in accordance with the provisions of Chapter 536, RSMo. If any alleged violation of this Joint Stipulation occurred during the disciplinary period, the MREAC may choose to conduct a hearing before it to determine whether a violation occurred and may impose further discipline.

5. If any alleged violation of this Joint Stipulation occurred During the disciplinary period, the parties agree that the MREAC may choose to conduct a hearing before it either during the disciplinary period, or as soon thereafter as a hearing can be held, to determine whether a violation occurred and, if so, may impose further disciplinary action. King agrees and stipulates that the MREAC has continuing jurisdiction to hold a hearing to determine if a violation of this Joint Stipulation has occurred.

14. Section 324.042, RSMo, provides:

Any board, commission, or committee within the division of professional registration may impose additional discipline when it finds after hearing that a licensee, registrant, or permittee has violated any disciplinary terms previously imposed or agreed to pursuant to settlement. The board, commission, or committee may impose as additional discipline, any discipline it would be authorized to impose in an initial disciplinary hearing.

15. Respondent violated the terms and conditions of discipline set forth in the April 18, 2013 Disciplinary Order, as described in the Findings of Fact of this Order, by violating the disciplinary Order's paragraphs 2.A and 2.B of Part II, as detailed in paragraphs 5 through 11 above.

Decision and Order

It is the decision of the MREAC that Respondent, Jeffrey S. King, has violated the terms of the April 18, 2013 Disciplinary Order, and that his licensure is, therefore, subject to further disciplinary action.

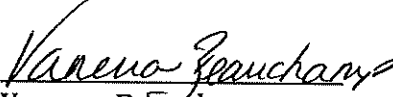
The MREAC orders that Respondent's previously ordered probationary period of two (2) years, as ordered in the April 18, 2013 Disciplinary Order, be extended for an additional one (1) year period commencing the date of this Order.

Respondent shall be entitled to practice as a state-certified residential real estate appraiser provided Respondent remain compliant with the terms and conditions of his probation in accordance with the April 18, 2013 Disciplinary Order.

The Board will maintain this Order as an open and public record of the Commission as provided in Chapters 339, 610, and 324, RSMo.

SO ORDERED this 27th day of July, 2015.

**MISSOURI REAL ESTATE APPRAISERS
COMMISSION**


**Vanessa Beauchamp,
Executive Director**